

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

| | | |
|---------------------------------|---|--------------------------------|
| RAYMOND WARE, |) | CIVIL NO. 04-00671 HG/LEK |
| |) | |
| Plaintiff, |) | DECLARATION OF COUNSEL; |
| |) | EXHIBITS 19 THROUGH 23 |
| vs. |) | |
| |) | |
| SIDNEY HAYAKAWA, Director |) | |
| of Transportation Security |) | |
| Administration - Honolulu, KEN |) | |
| KAMAHELE, Deputy Director, |) | |
| Transportation Security |) | |
| Administration-Honolulu; |) | |
| TRANSPORTATION SECURITY |) | |
| ADMINISTRATION; THOMAS J. |) | |
| RIDGE, Secretary, Department of |) | |
| Homeland Security, DEPARTMENT |) | |
| OF HOMELAND SECURITY; |) | |
| JOHN DOES 2-5, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

DECLARATION OF COUNSEL

DAPHNE BARBEE, declares under penalty of perjury, as follows:

1. She is the attorney for Raymond Ware.
2. She makes this Declaration upon personal knowledge.
3. The attached Exhibit 19 is a true and accurate copy of a job application and Resume of one of the six persons hired to be a Screening Manager

in June 2003 by Mr. Kamahele. The employee's name is deleted and re labeled A pursuant to a Protective Order in this case.

4. Attached Exhibit 20 is a true and accurate copy of a portion of the investigator's report pertaining to promotions by TSA Honolulu in 2003 resulting in Mr. Kamahele's termination, which was produced pursuant to discovery.

5. Attached Exhibit 21 is a true and accurate copy of a letter to Mr. Hayakawa requesting copies of the re certification test results and criteria for Mr. Ware.

6. Attached Exhibit 22 is a copy of Defendant's Answers to Plaintiff's Request for Production of documents pertaining to the recertification test, objective grading criteria and validation of the test.

7. Attached Exhibit 23 are copies of news articles pertaining to recertification tests by TSA that are no longer used due to complaints of discrimination.

FURTHER DECLARANT SAYETH NAUGHT.

DATED: Honolulu, Hawaii, 8-25-06.

DAPHNE BARBEE
ATTORNEY AT LAW